

Remarks

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1 and 8 have been amended. Support for the amendment can be found, at least, on page 8, lines 11-16 and Figs. 2 and 3 of the specification as originally filed. Claim 21 was previously cancelled. No new claims have been added. No new matter has been added. Accordingly, Claims 1-20 (20 claims) will be pending in the present application upon entry of this Reply and Amendment.

A detailed listing of all the claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Claim Rejections – 35 U.S.C. § 103

On pages 3-9 of the Office Action, the Examiner has rejected Claims 1-16 and 18-20 under 35 U.S.C. § 103(a) as being unpatentable over Haseltine et al. (US Patent No. 6,578,015) ("Haseltine") in view of Hutchison et al. (US Patent Pub. No. 2005/0192896) ("Hutchison").

Haseltine discloses a biller-centric service provider which is stated to be applicable to consolidators, but in fact is little more than a bill service provider (BSP) for multiple billers. Haseltine receives bills directly from billers (see col. 4, lines 52-57). In the biller-centric approach of Haseltine, bills from multiple billers are delivered to a service provider having a single website, to be presented to the customers of the billers being serviced in a manner which preserves the "look and feel" of the billers' paper bills (see col. 5, lines 7-25). The Examiner states "Haseltine does not explicitly teach the features of allowing billers to review and obtain reports after authentication of the

merchant identification number as recited in the claims; and authorization to access said data base provided by a credit verifier."

The Examiner further states that "Hutchison teaches a closed system comprising a register merchants and consumers in which parties are identified and authenticated to insure security (Abstract, paras. 0013, 00148 "*merchant authenticator component*"); and authorizing access to said data base by a credit verifier (para. 0094). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Haseltine to include this step as taught by Hutchison. One would have been motivated to prevent unauthorized access to said data base and for account creation purposes respectively."

Claim 1 of the present application is in independent form and recites an "electronic bill presentment and payment system" comprising, in combination with other elements,

"a portal interface element configured as a secure personalized portfolio for reviewing and paying electronic bills coupled to said data base, said portal interface element configured to access a plurality of visual interfaces each associated with a different web portal or bill presentment and payment website, each visual interface being associated with a web portal or bill presentment and payment website different from other of said visual interfaces, each of said visual interfaces configured to allow a consumer to review and pay said consumer's bills and thereby change information in said database with the secure personalize portfolio only if said consumer has been authorized to access said database by a credit verifier."

Claims 2-7 depend from independent Claim 1.

Claim 8 of the present application is in independent form and recites an "electronic bill presentment and payment system" comprising, in combination with other elements,

"a portal interface element configured as a secure personalized portfolio for reviewing and paying electronic bills coupled to said data base, said portal interface element configured to allow access to a plurality of visual interfaces each associated with a different web portal or bill presentment and payment website, each visual interface being associated with a different web portal or bill presentment and payment website from other of said visual interfaces;"

Claims 9-20 depend from independent Claim 8.

Each of the independent claims (1 and 8) of the present application require a "portal interface element configured as a secure personalized portfolio for reviewing and paying electronic bills ... " as supported in the Specification as originally filed at least on page 8 of the Specification and illustrated in Fig. 3. The "electronic bill presentment and payment system" recited in independent Claim 1 and the "electronic billing presentment and payment system" recited in independent Claim 8 would not have been obvious in view of Haseltine alone or in any proper combination with Hutchison under 35 U.S.C. § 103(a). Haseltine, alone or in any proper combination with Hutchison, does not disclose, teach or suggest a "system" comprising, in combination with other elements, "a portal interface element configured as a secured personalized portfolio for reviewing and paying electronic bills"

To transform the "methods, devices and systems for electronic bill presentment and payment" of Haseltine and the "method and apparatus for ordering goods, services and content over an internet work using a virtual payment account" of Hutchison into the systems as recited in independent Claims 1 and 8 would require still further modification, and such modification is taught only by the Applicants' own disclosure. The suggestion to make the combination of Haseltine and Hutchison has been taken from the Applicants' own Specification (using hindsight), which is improper.

Applicants submit that Haseltine teaches a bill presentment and payment system that preserves the "look and feel" of the billers' paper bills as described above. More specifically, Haseltine teaches that the customer 390 may log onto a website of a biller 330 using the commerce servers on the web. Popular web browsers such as Netscape Navigator® (see col. 9, lines 52-60). Haseltine further teaches that the customer 380 may log onto the internet website maintained by the thin consolidator 360 and in so doing, the biller's corporate identities, as embodied by the look and feel of their bills, may be preserved at the thin consolidator's 360 cite, as rendered by the customer's 380 web browser software (see col. 10, lines 48-58). In other words, Haseltine does not teach a "portal interface element configured as a secured personalized portfolio for reviewing and

paying electronic bills" of the consumer. Haseltine teaches that the consumer or customer must use either the biller's website or navigate through general commercial web browsers or websites rather than a "secure personalized portfolio related to a specific consumer" as disclosed and claimed in the present application.

The Examiner cites Hutchison for providing a "merchant authenticator component." Hutchison also teaches that a consumer uses a consumer computer 50 that includes program code and data necessary for ordering and paying for a product over the internet 40 in accordance with the present invention. More specifically, the memory 63 stores a web browser component 64, such a Netscape's Navigator® or Microsoft's Internet Explorer® browsers (para. 0046 of Hutchison). Hutchison further teaches in para. 0048 that a consumer may use a commerce engine component 75 of an existing commerce engine, such as Microsoft® Site Server which allows for payment of products ordered over the internet.

Applicants submit that neither Haseltine nor Hutchison teaches a "portal interface element configured as a secure personalized portfolio for reviewing and paying electronic bills" as requires in each of independent Claims 1 and 8 of the present application. Haseltine and Hutchison teach the use of either biller's websites having the look and feel of the biller's paper bills or using "off the shelf" web browsers. Further, neither Haseltine nor Hutchison teach or even hint at configuring a "portal interface as a secure personalized portfolio for reviewing and paying electronic bills" of a consumer. Both Haseltine and Hutchison teach away from using a "portal interface element configured as a secure personalized portfolio ..." by using a biller's website or commercial browser to have consumers pay their bills. Accordingly, one ordinarily in the art would not be compelled to combine Haseltine and Hutchison, and more specifically even if Haseltine and Hutchison were combined, as suggested by the Examiner, it would not result in that which is disclosed and claimed in the present application.

The systems recited in independent Claims 1 and 8, considered as a whole, would not have been obvious in view of Haseltine and/or Hutchison. The rejection of Claims 1

and 8 over Haseltine in view of Hutchison under 35 U.S.C. § 103(a) is improper. Therefore, independent Claims 1 and 8 are patentable over Haseltine in view of Hutchison.

Dependent Claims 2-7 which depend from independent Claim 1 and dependent Claims 9-20 which depend from independent Claim 8 are also patentable. See 35 U.S.C. § 112, para. 4.

The Applicants respectfully request withdrawal of the rejection of Claims 1-16 and 18-20 under 35 U.S.C. § 103(a).

On page 9 the Examiner has rejected Claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Haseltine in view of Hutchison and further in view of Kamen et al. (US Patent No. 6,421, 067).

In response, Applicants submit that Claim 17 depends from independent Claim 8. Since Applicants believe that independent Claim 8 is patentable over the combination of Haseltine and Hutchison, dependent Claim 17 is also patentable. (See 35 U.S.C. § 112, para. 4). Accordingly, Applicants respectfully request that the Examiner withdraw his rejection of Claim 17 under 35 U.S.C. § 103(a).

* * *

It is submitted that each outstanding objection and rejection to the application has been overcome, and that the application is in condition for allowance. The Applicant requests consideration and allowance of all pending claims (Claims 1-20).

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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